



MICHAEL A. CARDOZO
Corporation Counsel

**THE CITY OF NEW YORK
LAW DEPARTMENT**
100 CHURCH STREET
NEW YORK, NY 10007

MORGAN D. KUNZ
Assistant Corporation Counsel
Phone: (212) 788-0422
Fax: (212) 788-9776
mkunz@law.nyc.gov

February 10, 2010

BY E.C.F.

Honorable Lois Bloom
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Darnell Routier v. Sgt. O'Hara, et. al.
08 Civ. 2666 (CBA) (LB)

Your Honor:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, and the attorney assigned to the defense of the above-referenced matter. Defendants Barry Brown and Paul Brown write, in accordance with the Court's December 1, 2009 order, with an update on the status of plaintiff's pending criminal prosecution.

Upon information and belief, plaintiff's criminal case is still pending. Plaintiff is next scheduled to appear in Queens County Supreme Court Criminal Term on April 12, 2010. It is the defendants' understanding, based on conversations with the assigned Assistant District Attorney, that the criminal trial is scheduled to commence on the April 12, 2010 court date.

As the pending criminal prosecution and this civil lawsuit stem from the same incident, defendants respectfully request that this federal civil case remain stayed pending resolution of the parallel state court prosecution. Should the Court grant this request, defendants also respectfully request that the next status letter, updating the Court on the criminal proceeding, be due in May, at which time the criminal trial will likely be completed.

Defendants thank the Court for its time and consideration of this request.

The application is

SQ ORDERED

Signed by Judge Bloom

Lois Bloom, U.S.M.J.

Dated: 2/11/10

Brooklyn, New York

☒ granted
☐ denied

Defendants shall
inform the Court
of the status
of the criminal
prosecution
by 5/14/10.

Respectfully submitted,

/s/

Morgan Kunz
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Darnell Routier, *Plaintiff Pro Se* (By First Class Mail)
441-08-05089
George Motchan Detention Center ("GMDC")
15-15 Hazen Street
East Elmhurst, New York 11370